

WEDNESDAY, MARCH 26, 2003

TWENTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:00 p.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by the Reverend James Tubbs of Saint Matthias Episcopal Church in Nashville, Tennessee, a guest of Senator Henry.

PLEDGE OF ALLEGIANCE

Senator Henry led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Beavers, Bryson, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

COMMUNICATIONS

March 26, 2003

The Honorable John S. Wilder
Lieutenant Governor
State of Tennessee
1 Legislative Plaza
Nashville, TN 37243-0026

Dear John:

I would greatly appreciate your approval for my absence from the Senate Chamber and sessions on Wednesday, March 26, and Thursday, March 27, 2003, due to the necessity of properly regulating my blood pressure medication by going to Baptist Hospital.

Thank you for your consideration of this urgent request.

Sincerely,
/s/ Ben Atchley

APPROVED: Lieutenant Governor
John S. Wilder

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

March 26, 2003

The Honorable John S. Wilder
Lieutenant Governor
State of Tennessee
1 Legislative Plaza
Nashville, TN 37243-0026

Dear Governor Wilder:

I would appreciate your approval of my absence from the Senate Chamber and session on Wednesday, March 26, 2003. I needed to accompany Senator Ben Atchley on that day.

Thank you for your consideration of this request.

Sincerely,

/s/ Tim Burchett

APPROVED: Lieutenant Governor
John S. Wilder

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 812; and Senate Joint Resolutions Nos. 184 and 185.

HENRY, Chairperson
March 25, 2003

The Speaker announced that he had referred Senate Bill No. 812; and Senate Joint Resolutions Nos. 184 and 185 to Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1, 434 and 1465.

COHEN, Chairperson
March 25, 2003

The Speaker announced that he had referred Senate Bills Nos. 1, 434 and 1465 to Committee on Calendar.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 189, 1936 with amendment and 1938 with amendment; also, recommend that Senate Bills Nos. 1507 with amendment and 1698 with amendment be referred to Committee on Finance, Ways and Means.

COOPER, Chairperson
March 25, 2003

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

The Speaker announced that he had referred Senate Bills Nos. 189, 1936 with amendment and 1938 with amendment to Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1507 with amendment and 1698 with amendment to Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 787, 1500, 1501 with amendment, 1750 and 1850; also, recommend that Senate Bills Nos. 283, 377 and 606 be referred to Committee on Finance, Ways and Means.

PERSON, Chairperson
March 25, 2003

The Speaker announced that he had referred Senate Bills Nos. 787, 1500, 1501 with amendment, 1750 and 1850 to Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 283, 377 and 606 to Committee on Finance, Ways and Means.

ENVIRONMENT, CONSERVATION AND TOURISM

MR. SPEAKER: Your Committee on Environment, Conservation and Tourism begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1567 and 1740 with amendment; also, recommend that Senate Bill No. 885 be referred to Committee on Finance, Ways and Means.

MILLER, Chairperson
March 26, 2003

The Speaker announced that he had referred Senate Bills Nos. 1567 and 1740 with amendment to Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 885 to Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 349 with amendment and 530; also, recommend that Senate Bills Nos. 236, 714, 1538, 1793, 1819, 1890 with amendment, 1910 and 1913 with amendment be referred to Committee on Finance, Ways and Means.

WILLIAMS, Chairperson
March 26, 2003

The Speaker announced that he had referred Senate Bills Nos. 349 with amendment and 530 to Committee on Calendar.

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

The Speaker announced that he had referred Senate Bills Nos. 236, 714, 1538, 1793, 1819, 1890 with amendment, 1910 and 1913 with amendment to Committee on Finance, Ways and Means.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 2004 by Senators Graves and Beavers.

Sumner County -- Subject to local approval, provides that sheriff shall be named to financial management committee in lieu of superintendent of highways or director of schools if highway department or education department is opted out of Financial Management System Act. Amends Chapter 113 of the Private Acts of 2002.

Senate Bill No. 2005 by Senator Cooper.

Decherd -- Subject to local approval, permits board of mayor and aldermen to establish mayor and aldermen salaries by ordinance; revises city election cycle to coincide with county election. Amends Chapter 318 of the Acts of 1901; as amended.

Senate Bill No. 2006 by Senator Dixon.

Hospitals and Health Care Facilities -- Clarifies that home rule municipality of Memphis and Shelby County is each "creating municipality" within meaning of "Metropolitan Hospital Authority Act". Amends TCA Title 7, Chapter 57.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 65 -- Municipal Government -- Exempts certified public accountants from certification requirements for municipal clerks and recorders. Amends TCA Section 6-54-120.

House Bill No. 1286 -- Boards and Commissions -- Clarifies that health related boards may provide assistance to impaired health practitioners through agreements with or grants to statewide, nonprofit professional associations or their affiliated foundations, but such grants do not deem recipient programs to be state programs. Amends TCA Section 63-1-136.

House Bill No. 1771 -- Managed Care Organizations -- Requires HMOs providing utilization review services for mental health and chemical dependency care for their own enrollees to comply with provisions of Title 56, Chapter 7 regarding utilization review services for such care. Amends TCA Title 56.

House Bill No. 1810 -- Parsons -- Subject to local approval, amends charter so that reading of ordinances and resolutions which have been presented to mayor and council members and have been posted on City Bulletin Board or on City's Web site before council meeting may be waived. Amends Chapter 182 of the Private Acts of 1998.

House Bill No. 2069 -- Kingsport -- Subject to local approval, removes authority for board of mayor and aldermen to set salaries of city recorder, city attorney, and chief of police. Amends Chapter 76 of the Private Acts of 1917; as amended.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 195 by Senator Jackson.

Memorials, Personal Achievement -- Matthew Philip Kiessling, Eagle Scout.

Senate Joint Resolution No. 196 by Senator Jackson.

Memorials, Death -- Phillip Street, Sr.

Senate Joint Resolution No. 197 by Senator Jackson.

Memorials, Retirement -- John Neal Winstead, Sr.

Senate Joint Resolution No. 198 by Senator Beavers.

Memorials, Professional Achievement -- Dale Wainwright, Texas Supreme Court.

Senate Joint Resolution No. 199 by Senator Trail.

Memorials, Professional Achievement -- Rick Insell, TSSAA Hall of Fame.

Senate Joint Resolution No. 200 by Senator Trail.

Memorials, Sports -- Ashleigh Newman, 1000th point.

Senate Joint Resolution No. 201 by Senator Crutchfield.

General Assembly, Recess/Reconvene -- Provides that Senate will not meet on April 3 or April 10, 2003.

Senate Joint Resolution No. 202 by Senator Trail.

Memorials, Sports -- Shelbyville Golden Eaglettes, TSSAA Class AAA basketball champs.

Senate Joint Resolution No. 203 by Senators Harper, Kurita, Burks, Graves and Beavers.

Memorials, Public Service -- Tennessee Women Legislators.

RESOLUTIONS LYING OVER

House Joint Resolution No. 10 -- Naming and Designating -- "Childcare Workers Day",

May 10, 2003.

The Speaker announced that he had referred House Joint Resolution No. 10 to Committee on State and Local Government.

House Joint Resolution No. 105 -- Naming and Designating -- Names and designates April

2003, and each April thereafter, as Minority Health Awareness Month in Tennessee.

The Speaker announced that he had referred House Joint Resolution No. 105 to Committee on State and Local Government.

House Joint Resolution No. 161 -- Memorials, Professional Achievement -- Stamper's

Distinctive Furnishings, 80th anniversary.

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 161 to Committee on Calendar.

House Joint Resolution No. 162 -- Memorials, Sports -- Elizabeth Dotson.

The Speaker announced that he had referred House Joint Resolution No. 162 to Committee on Calendar.

House Joint Resolution No. 163 -- Memorials, Personal Occasion -- Jim and Sue Sharp, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 163 to Committee on Calendar.

House Joint Resolution No. 165 -- Memorials, Personal Achievement -- Shirley Vess, Ms. Tennessee Senior America 2003.

The Speaker announced that he had referred House Joint Resolution No. 165 to Committee on Calendar.

House Joint Resolution No. 166 -- Memorials, Professional Achievement -- Lorrie Graves, Teacher of the Year, Moore Elementary and Franklin Special School District.

The Speaker announced that he had referred House Joint Resolution No. 166 to Committee on Calendar.

House Joint Resolution No. 168 -- Memorials, Professional Achievement -- Billy Belew, TSSAA Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 168 to Committee on Calendar.

House Joint Resolution No. 169 -- Memorials, Sports -- Beech High School girls' basketball, TSSAA Runners-Up.

The Speaker announced that he had referred House Joint Resolution No. 169 to Committee on Calendar.

House Joint Resolution No. 170 -- Memorials, Death -- Mariclare Williams.

The Speaker announced that he had referred House Joint Resolution No. 170 to Committee on Calendar.

House Joint Resolution No. 171 -- Memorials, Sports -- Portland High School boys' basketball team.

The Speaker announced that he had referred House Joint Resolution No. 171 to Committee on Calendar.

House Joint Resolution No. 172 -- Memorials, Sports -- Westmoreland High School girls' basketball team.

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 172 to Committee on Calendar.

House Joint Resolution No. 173 -- Memorials, Professional Achievement -- Sandra Hayes.

The Speaker announced that he had referred House Joint Resolution No. 173 to Committee on Calendar.

House Joint Resolution No. 176 -- Memorials, Sports -- Brian McGaha, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 176 to Committee on Calendar.

House Joint Resolution No. 177 -- Memorials, Sports -- Tim Sumner, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 177 to Committee on Calendar.

House Joint Resolution No. 178 -- Memorials, Sports -- Derek Boggs, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 178 to Committee on Calendar.

House Joint Resolution No. 179 -- Memorials, Sports -- Kevin Willis, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 179 to Committee on Calendar.

House Joint Resolution No. 180 -- Memorials, Sports -- Damon Boggs, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 180 to Committee on Calendar.

House Joint Resolution No. 181 -- Memorials, Sports -- Mike Bear, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 181 to Committee on Calendar.

House Joint Resolution No. 182 -- Memorials, Sports -- Chris Jarrett, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 182 to Committee on Calendar.

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

House Joint Resolution No. 183 -- Memorials, Sports -- Greg Bass, Sullivan North High School basketball coach, Unified Sports basketball state champions.

The Speaker announced that he had referred House Joint Resolution No. 183 to Committee on Calendar.

House Joint Resolution No. 184 -- Memorials, Sports -- Peggy Sue Plum, Sullivan North High School Unified basketball team.

The Speaker announced that he had referred House Joint Resolution No. 184 to Committee on Calendar.

House Joint Resolution No. 185 -- Memorials, Professional Achievement -- Samuel P. Anderson, Director of Parks and Recreation.

The Speaker announced that he had referred House Joint Resolution No. 185 to Committee on Calendar.

House Joint Resolution No. 186 -- Memorials, Sports -- Gordon Perry, TSSAA Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 186 to Committee on Calendar.

House Joint Resolution No. 187 -- Memorials, Public Service -- Kenny Blackburn, NCCJ Human Relations Award.

The Speaker announced that he had referred House Joint Resolution No. 187 to Committee on Calendar.

House Joint Resolution No. 188 -- Memorials, Death -- Emma Lee Beckett Batts.

The Speaker announced that he had referred House Joint Resolution No. 188 to Committee on Calendar.

Senate Joint Resolution No. 193 -- Memorials, Professional Achievement -- WAKM, 50th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 193 to Committee on Calendar.

Senate Joint Resolution No. 194 -- Memorials, Public Service -- Oakwood Baptist Church, 100th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 194 to Committee on Calendar.

Senate Resolution No. 24 -- Memorials, Professional Achievement -- The French Confection.

The Speaker announced that he had referred Senate Resolution No. 24 to Committee on Calendar.

PRESENTATION

Senator Jackson introduced Parker Ramsay who played the harpsichord for the Senate.

RECALL OF BILL

On motion of Senator Cohen, **Senate Bill No. 1** was recalled from the Committee on Calendar.

REFERRAL

On motion of Senator Cohen, Senate Bill No. 1 was referred to the Committee on Finance, Ways and Means.

MOTION

Senator Harper moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 203**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 203 -- Memorials, Public Service -- Tennessee Women Legislators.

On motion of Senator Harper, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 203** was adopted by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Beavers, Bryson, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

NOTICE

Pursuant to Rule 44, notice was given that the following bills were returned from the House of Representatives amended. Under the rule, the bills lie over.

MESSAGE FROM THE HOUSE

March 24, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 15, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 24, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 39, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 24, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 134, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 24, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1452, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

CONSENT CALENDAR

House Joint Resolution No. 158 -- Memorials, Professional Achievement -- Clinton School System, Teachers of the Year.

Senate Joint Resolution No. 191 -- Memorials, Death -- Dr. Howell H. Sherrod.

Senate Joint Resolution No. 192 -- Memorials, Personal Achievement -- Shirley Vess, Ms. Tennessee Sr. America.

Senator Crowe moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Beavers, Bryson, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

CALENDAR

Senator Trail moved that **Senate Bill No. 614** be placed on the calendar for Monday, March 31, 2003, which motion prevailed.

Senate Bill No. 1509 -- Auctions and Auctioneers -- Authorizes apprentice auctioneer who is also broker or affiliate broker to conduct or offer to conduct auctions of real property as long as auctioneer for whom apprentice auctioneer is employed for such purposes is on premises of property during auction. Amends TCA Section 62-19-102.

On motion, Senate Bill No. 1509 was made to conform with **House Bill No. 1251**.

On motion, House Bill No. 1251, on same subject, was substituted for Senate Bill No. 1509.

Thereupon, **House Bill No. 1251** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Bryson, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Cooper moved that **Senate Bill No. 1581** be placed on the calendar for Monday, March 31, 2003, which motion prevailed.

MOTION

Senator Crutchfield moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 201**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 201 -- General Assembly, Recess/Reconvene -- Provides that Senate will not meet on April 3 or April 10, 2003.

On motion of Senator Crutchfield, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 201** was adopted by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Bryson, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 1783 -- Child Custody and Support -- Establishes certain policies and procedures pertaining to grandparent visitation and sibling visitation. Amends TCA Title 36, Chapter 6, Part 3 and Title 37, Chapter 1, Part 1.

Senator Person moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-6-306(a), is amended by deleting the words and punctuation "to a court of competent jurisdiction," and by substituting instead the following:

to the circuit or chancery court of the county in which the petitioned child currently resides,

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 1783**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Beavers, Bryson, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 1887 -- Mobile Homes and Manufactured Buildings -- Changes provisions governing manufacture and installation of manufactured homes. Amends TCA Title 68, Chapter 126.

Senator Clabough moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 68-126-202(3)(B), is amended by adding the following language at the end of the subdivision:

or any financial institution which is engaged in the sale, leasing, or distribution of new and used manufactured homes;

On motion, the amendment was adopted.

Senator Graves declared Rule 13 on **Senate Bill No. 1887**.

Thereupon, **Senate Bill No. 1887**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Beavers, Bryson, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

Senator Dixon moved that **Senate Bill No. 154** be placed on the calendar for Wednesday, April 6, 2003, which motion prevailed.

Senate Bill No. 200 -- Employees, Employers -- Prohibits local governments from requiring private employer to pay its employees any wage not required to be paid to such employee under state or federal law. Amends TCA Title 50, Chapter 2, Part 1.

Senator Clabough moved for the previous question on Senate Bill No. 200, which motion failed by the following vote:

Ayes	15
Noes	13
Present, not voting . . .	1

Senators voting aye were: Beavers, Bryson, Burks, Clabough, Cooper, Crowe, Fowler, Graves, Ketron, McNally, Norris, Person, Ramsey, Southerland and Williams--15.

Senators voting no were: Cohen, Crutchfield, Dixon, Ford, Haynes, Herron, Jackson, Kurita, Kyle, McLeary, Miller, Trail and Mr. Speaker Wilder--13.

Senator present and not voting was: Henry--1.

Thereupon, **Senate Bill No. 200** passed its third and final consideration by the following vote:

Ayes	18
Noes	10
Present, not voting . . .	1

Senators voting aye were: Beavers, Bryson, Burks, Clabough, Cooper, Crowe, Fowler, Haynes, Henry, Herron, Ketron, McNally, Miller, Norris, Person, Ramsey, Southerland and Williams--18.

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

Senators voting no were: Cohen, Crutchfield, Dixon, Ford, Harper, Jackson, Kurita, Kyle, McLeary and Trail--10.

Senator present and not voting was: Graves--1.

A motion to reconsider was tabled.

MOTION

Senator Miller moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 163**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 163 -- Memorials, Personal Occasion -- Jim and Sue Sharp, 50th wedding anniversary.

On motion of Senator Miller, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 163** was concurred in.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Mr. Speaker Wilder, **Senate Bill No. 1867** was recalled from the Committee on Commerce, Labor and Agriculture.

REFERRAL

On motion of Mr. Speaker Wilder, Senate Bill No. 1867 was referred to the Committee on Judiciary.

MOTION

On motion of Senator Herron, his name was added as sponsor of **House Joint Resolution No. 168; and Senate Bills Nos. 1901, 1931 and 1941.**

On motion of Senator Bryson, his name was added as sponsor of **House Joint Resolution No. 166.**

On motion of Senator Haynes, his name was added as sponsor of **Senate Bills Nos. 491, 1932, 1946, 1978 and 1979.**

On motion of Senator McLeary, his name was added as sponsor of **Senate Bills Nos. 1936, 1954 and 1959.**

On motion of Senator Cooper, his name was added as sponsor of **Senate Bill No. 1981.**

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

On motion of Senator Jackson, his name was added as sponsor of **Senate Bill No. 1980**.

On motion of Senators Kyle and Williams, their names were added as sponsors of **Senate Bill No. 1977**.

On motion of Mr. Speaker Wilder, his name was added as sponsor of **Senate Bill No. 1976**.

On motion of Senator Dixon, his name was added as sponsor of **Senate Bills Nos. 1927 and 1975**.

On motion of Senator Burks, her name was added as sponsor of **Senate Bill No. 1974**.

On motion of Senator Kyle, his name was added as sponsor of **Senate Bills Nos. 1929, 1942 and 1960**.

On motion of Senator Trail, his name was added as sponsor of **Senate Bills Nos. 1955 and 1958**.

On motion of Senator Harper, her name was added as sponsor of **Senate Bills Nos. 1943 and 1956**.

On motion of Senator Henry, his name was added as sponsor of **Senate Bill No. 1944**.

On motion of Senator Kurita, her name was added as sponsor of **Senate Bills Nos. 1938 and 1940**.

On motion of Senator Trail and Mr. Speaker Wilder, their names were added as sponsors of **Senate Bill No. 1950**.

On motion of Senator Graves, her name was added as sponsor of **Senate Bills Nos. 1928 and 1930**.

On motion of Senator Graves, her name was added as prime sponsor of **Senate Bills Nos. 1198 and 1597**.

On motion of Senator Cooper, his name was removed as sponsor of **Senate Bill No. 1597**.

On motion of Senator Clabough, his name was removed as sponsor of **Senate Bill No. 1198**.

On motion of Senator McNally, his name was added as sponsor of **House Joint Resolution No. 158; and Senate Bill No. 588**.

On motion, all Senators' names were added as sponsors of **Senate Joint Resolution No. 203**.

On motion of Senator Williams, his name was added as sponsor of **House Joint Resolution No. 158**.

ENGROSSED BILLS

March 26, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 200, 1783 and 1887; and Senate Joint Resolutions Nos. 191, 192 and 203; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

March 26, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 201, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 26, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 28, adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

March 26, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 115, 187, 541 and 1691; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 25, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1258, for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

March 26, 2003

The Speaker announced that he had signed the following: Senate Bills Nos. 115, 187, 541 and 1691; and House Bill No. 1258.

MESSAGE FROM THE GOVERNOR

March 26, 2003

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 130, with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

RECALL OF BILL

On motion of Senator Ramsey, **Senate Bill No. 1243** was recalled from the Clerk's desk.

WITHDRAWAL OF BILL

On motion of Senator Ramsey, Senate Bill No. 1243 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Graves, **Senate Bill No. 835** was recalled from the Committee on Transportation.

WITHDRAWAL OF BILL

On motion of Senator Graves, Senate Bill No. 835 was withdrawn from the Senate.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 27, 2003: House Joint Resolutions Nos. 161, 162, 163, 165, 166, 168, 169, 170, 171, 172, 173, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187 and 188; Senate Joint Resolutions Nos. 184, 185, 193 and 194; and Senate Resolution No. 24.

This the 25th day of March, 2003.
CROWE, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 27, 2003: Senate Bills Nos. 812 and 662.

This the 25th day of March, 2003.
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, March 27, 2003: Senate Bills Nos. 1851 and 1988.

WEDNESDAY, MARCH 26, 2003 -- 23RD LEGISLATIVE DAY

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 9:00 a.m., Thursday, March 27, 2003, which motion prevailed.